

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Nasir-Uddin Qureshi,

Plaintiff,

Case No. 04-71810

v.

Hon. Nancy G. Edmunds

R.J. Reynolds Tobacco Co., et. al.,

Defendants.

ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [88]

This matter has come before the Court on the Magistrate Judge's Report and Recommendation [88], dated July 20, 2006. Being fully advised in the premises and having reviewed the record and the pleadings, including the Report and Recommendation and any objections thereto, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that (1) Defendants Clark Hill and Kalmink's Motion to Dismiss action against them Pursuant to Fed. R. Civ. P. 12(b)(1) is GRANTED and these Defendants' Motion to Dismiss brought pursuant to Rule 12(b)(6) is DENIED AS MOOT and the case against them is DISMISSED WITHOUT PREJUDICE; (2) Plaintiff's Request to Amend Complaint II is DENIED as to Defendants Clark Hill and Jack O. Kalmink; and (3) Plaintiff Motion Pursuant to Fed. R. Civ. P. 56(3) is DENIED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: August 4, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 4, 2006, by electronic and/or ordinary mail.

s/Carol A. Hemeyer  
Case Manager